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Attnorneys for Defendant
Nitek International, LLC

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

NETWORK VIDEO
TECHNOLOGIES, INC.,

Plaintiff,

v

NITEK INTERNATIONAL, LLC;
and DOES 1-10.

Defendants.

Civil Action No. C-08-2208 MHP

STIPULATION TO:

1. RESET THE HEARING OF DEFENDANT'S MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION; AND
 2. RESET THE DATE FOR THE CASE MANAGEMENT CONFERENCE

[ACCOMPANIED BY PROPOSED
ORDER]

NEW DATE FOR BOTH:

DATE: September 15, 2008
TIME: 2:00 P.M.
CRTM: "15"

1 **To the Court:**

2 **Whereas** the Court has set a Case Management Conference in this matter for
3 August 18, 2008;

4 **Whereas** Defendant has filed a Motion to Dismiss for Lack of Subject Matter
5 Jurisdiction;

6 **Whereas** Defendant's Motion to Dismiss is currently set for hearing on July 28,
7 2008;

8 **Whereas** the Court has ordered the parties to meet and confer on a new hearing
9 date for Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction;

10 **Whereas** the parties have met and conferred, taking into account the
11 scheduling needs of the parties and counsel in order to properly present the issues to
12 the Court and to account for prior commitments;

13 **Whereas** in the interests of efficiency and judicial economy, the parties desire
14 to have the Case Management Conference on the same day as the hearing on
15 Defendant's Motion to Dismiss:

16 **IT IS HEREBY STIPULATED THAT:**

- 17 1. The hearing on Defendant's Motion to Dismiss is continued from July
18 28, 2008 to September 15, 2008 at 2:00 p.m. in Courtroom 15 before the
19 Honorable Marilyn Hall Patel;
- 20 2. Plaintiff's Response to said Motion to Dismiss shall be filed on or before
21 August 4, 2008;
- 22 3. Defendant's Reply shall be filed on or before September 2, 2008; and
- 23 4. The Case Management Conference is hereby continued from August 18,
24 2008 to September 15, 2008, to follow the hearing on the Motion to
25 Dismiss.

26 [continued on the next page]

The Proposed Order resetting the dates is filed concurrently with this Stipulation.

IT IS SO STIPULATED:

DATED: June 12, 2008

THE HECKER LAW GROUP, PLC

By: Gary A. Hecker, Esq.
James M. Slominski, Esq.
Attorneys for Plaintiff
Network Video Technologies, Inc.

DATED: June 23, 2008

SEYFATH SHAW LLP

By: Robert S. Niemann
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